



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,916	12/17/2001	Gerhard Bartscher	81,489/LPK	4846

7590

07/07/2003

Lawrence P. Kessler  
Patent Department  
NexPress Solutions LLC  
1447 St. Paul Street  
Rochester, NY 14653-7103

EXAMINER

GOODROW, JOHN L

ART UNIT

PAPER NUMBER

1756

DATE MAILED: 07/07/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

### Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- ☒ Claim(s) 1-17 is/are pending in the application.  
Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-17 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

### Attachment(s)


- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Office Action Summary

Art Unit 1756

1. Claims 1-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Theodoulou et al. in view of Berkes et al. Theodoulou et al. teaches a flash fusing of a developed latent electrostatic image in which a light pulse is utilized to fuse the toner to the substrate. Applicant's attention is directed to column 3 lines 40-50 in which the toner is subjected to a flash of electromagnetic radiation to melt the toner and to adhere it to the substrate. Berkes et al. further teaches the flash fusing of a developed latent electrostatic image with an energy pulse and utilizes a large combination of toner resins (note column 4 lines 25-60). Such resins have a sharp transition from a solid to liquid state in which the toner being heated with the radiation pulse for the purpose of melting the toner and adhering it to the substrate. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention with a reasonable expectation of success to utilize known toner resin combinations in which the resins possess characteristics that are utilized in the flash fixing of a developed latent electrostatic image by a flash fusing system as taught by Theodoulou et al.

J. Goodrow:cdc  
(703) 308-0661  
June 30, 2003

  
**JOHN GOODROW**  
**PRIMARY EXAMINER**  
**ART UNIT 157**